

THE HONORABLE MARY JO HESTON
CHAPTER 13
HEARING DATE: August 8, 2023
HEARING TIME: 1:00 P.M.
LOCATION: via ZoomGov
RESPONSE DATE: August 1, 2023

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In re:

Case No.: 23-40812-MJH

MICHAEL DEAN LEA,

OBJECTION TO CONFIRMATION WITH STRICT COMPLIANCE

Debtor.

COMES NOW, Michael G. Malaier, Chapter 13 Standing Trustee, and objects to confirmation as follows:

BACKGROUND

Debtor filed this Chapter 13 case on May 23, 2023. The applicable commitment period is thirty-six months. The case is currently in the second month and the Meeting of Creditors has been completed. The bar date for filing non-governmental claims is August 1, 2023. Scheduled unsecured claims total \$52,612.46. The plan as filed proposes 100% repayment to general unsecured filed and allowed claims.

OBJECTION TO CONFIRMATION

Michael G. Malaier
Chapter 13 Standing Trustee
2122 Commerce Street
Tacoma, WA 98402
(253) 572-6600

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OBJECTION

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☒ Plan is not feasible:

Debtor has proposed a 100% plan. Feasibility will depend on filed claims. Trustee requests that confirmation be continued beyond the non-governmental bar date so that he can accurately assess the feasibility of the plan.

☒ Other:

- 1) Debtor is the co-debtor for the secured claim of Regional Acceptance Corporation. Claim 2-1. Absent successful disallowance of the claim payments for this vehicle should be made through the plan as required by Local Rules W.D. Wash. Bankr. 3015-1(j).
- 2) It is unclear to Trustee why Debtor's United Natural Food income is listed separately on Form 122C-1.

WHEREFORE, Trustee requests that the objection to confirmation be sustained and Debtor be ordered to file a motion to confirm a plan resolving the issues raised herein within 14 days of entry of the Order Sustaining Trustee's Objection to Confirmation; and to set the hearing on the next available motion calendar after the 14 days expires. If the Motion to Confirm resolving the Trustee's issues is not filed and set for hearing as outlined above, the Trustee requests he be allowed to enter an order dismissing the case, *ex parte*, without notice.

DATED this 13th day of July, 2023.

/s/ Mathew S. LaCroix

Mathew S. LaCroix, WSBA #41847 for
Michael G. Malaier, Chapter 13 Trustee